

REMARKS/ARGUMENTS

In response to the Examiner's requirement for restriction, set forth in the office Action dated April 22, 2003, Applicants elect, with traverse, the subject matter of Group I (claims 1-14 and 18-20) for prosecution in this application. The Examiner is requested to reconsider the requirement for restriction for the reasons that follow.

The Examiner's assertions to the contrary, Applicants submit that the claims do in fact define a unified inventive feature. The inventive concept linking the claims derives from Applicants identification of polymorphisms in the RANTES promoter. This knowledge is applicable methods of diagnosis and methods of treatment. Applicants, therefore, respectfully submit that the criteria for assessing unity of invention has not been applied properly and that the restriction is not proper. The Examiner is requested to reconsider the requirement for restriction and to consider both Groups I and II in this application.

An early and favorable Action on the merits is awaited.

HAJEER et al.
Appl. No. 09/857,603
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Respectfully submitted,

NIXON & VANDERHYE P.C.

By: Mary J. Wilson
Mary J. Wilson
Reg. No. 32,955

MJW:tat
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100